

**Hot Topic One-Pager for Oil & Gas  
September 2015 IOGCC Meeting  
EPA Region 9**

**Topic Title: EPA's Oversight of California's Class II Underground Injection Control (UIC) Program**

**Summary of Issue/Problem:** EPA determined that there are significant deficiencies with the CA Class II UIC program, including thousands of wells permitted by the state to inject into non-exempt aquifers. The state is now implementing a corrective action plan that requires all Class II wells to be injecting into appropriate aquifers by February 2017 and obligates the state to amend their program to address other EPA-identified deficiencies.

**Background:** The state of California was delegated primary responsibility for implementing the Class II oil and gas underground injection control (UIC) program of the federal Safe Drinking Water Act (SDWA) in 1983. As a part of its oversight role, EPA audited the California Department of Conservation, Division of Oil, Gas and Geothermal Resources' (DOGGR) Class II UIC primacy program in 2011 and identified substantial implementation deficiencies. In 2012, EPA conducted a review of aquifer exemptions that raised questions about the alignment of injection wells with EPA-approved exemption boundaries. By 2014, when it was clear that the state was not making sufficient progress to address the identified deficiencies, EPA increased its focus on DOGGR's Class II program issues, highlighting concerns and directing the state to submit a Program Revision Plan by February 2015. In March 2015, EPA issued a letter to the state concurring on key aspects of the state's plan and setting out a schedule of required activities and deliverables, with target milestones and compliance deadlines to ensure that the state continues to make progress towards full compliance with the SDWA, and meets a February 15, 2017 compliance deadline for Class II wells currently injecting into non-exempt aquifers.

**General Points:**

\* EPA has been meeting regularly with senior officials with the Department of Conservation, DOGGR, the State Water Board and the Central Valley Regional Water Board to discuss the state's implementation of the Class II UIC program, the identification of Class II injection wells that may be injecting into non-exempt aquifers, the state's ongoing assessment of drinking water sources that may be impacted by improper injection, the closure of any injection wells determined to be endangering water supply wells, and to establish an effective process for reviewing and approving aquifer exemptions in California.

\* As the state implements the corrective action plan, EPA will continue our heightened oversight to ensure that the state's oil and gas UIC program meets federal requirements. This effort includes ensuring that wells which inject into non-exempt aquifers are addressed as expeditiously as possible, with an immediate emphasis on the wells in aquifers with the highest water quality.

\* Although the state has identified several thousand wells permitted to inject into non-exempt aquifers, the vast majority of the wells are injecting into hydrocarbon-producing formations. EPA expects that a large majority of these oil-bearing formations will meet federal exemption criteria.

\* In consideration of the historic, ongoing drought, the state has signaled its intention to apply a more stringent standard for recommending potential aquifer exemptions to EPA, requiring that aquifers not be a current or future source of any beneficial use, not just use for drinking water purposes.